IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 36 of 2007(S/B)

Narendra Singh Verma
s/o Sri Khacheru Singh
R/o RZ 134H/01, Gali No. 10,
Sagar Pur (East)New Delhi – 110046 ….. Petitioner

Versus

1. State of Uttaranchal/Uttarakhand through Chief Secretary.
2. Principal Secretary, Uttaranchal/Uttarakhand State Seed Certification Agency, Dehradun.
3. Director, Uttaranchal/Uttarakhand State Seed Certification Agency, Dehradun ……. Respondents

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Sri Anurag Bisaria, Advocate for the petitioner.
Sri N.B. Tiwari, Addl. Advocate General/Chief Standing Counsel with Sri Subhash Upadhyaya, Standing Counsel for the respondents.

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S.Rawat, J.

RAJEEV GUPTA, C.J. (Oral)

Sri Anurag Bisaria, Advocate of the petitioner.

Sri N.B.Tiwari, Addl. Advocate General/Chief Standing Counsel with Sri Subhash Upadhyaya, Standing Counsel for the respondents.

2. Sri N. B. Tiwari, the learned Additional Advocate General/Chief Standing Counsel and Sri Subhash Upadhyaya, the learned Standing Counsel have raised a preliminary objection about the maintainability of the writ petition on the ground that the petitioner has an alternative efficacious remedy of filing a claim petition before the Public Services Tribunal.

3. Sri Anurag Bisaria, the learned counsel for the petitioner could not demonstrate as to how the alternative remedy of filing a claim petition before the Public Services Tribunal is not efficacious in the present case.

4. In this view of the matter, following the Division Bench decisions of this Court in the cases of **Bhuwan Chandra Pandey and others Vs. State of Uttaranchal and others** reported in **2006 (2) U.D. 439** and **Nanda Ballabh Pant Vs. State of Uttaranchal and others (W.P.No. 257 (S/B)**

2005), we decline to exercise our discretionary jurisdiction under Article 226 of the Constitution of India.

5. The writ petition, therefore, is liable to be dismissed and is hereby dismissed summarily with the liberty to the petitioner to avail the alternative remedy of filing a claim petition before the Public Services Tribunal for the redressal of the petitioner's grievances projected in the writ petition.

(J.C.S.Rawat , J.) 12.03.2007

(Rajeev Gupta, C. J.) 12.03.2007

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